

In the Matter of:

ORDER DENYING EMERGENCY RATE RELIEF AND REQUIRING SUBMISSION OF ADDITIONAL INFORMATION

On May 7, 1981, a hearing was held in the above-captioned proceeding on that portion of Applicant's filing requesting emergency rate relief. On June 15, 1981, Intervenor, Joellen Allen et al., filed a memorandum in opposition to granting the emergency relief requested by the Company. Therein, the Intervenor alleged that the gas consumption by Public Gas' customers during the summer months is so low that the additional income generated by an emergency increase at this time could not logically have a material impact on the Company's finances one way or the other. The Commission agrees with the Intervenor's reasoning on this point and so finds that Public Gas Company has not met its burden of proving the necessity of interim rate relief prior to our final decision on the merits in this matter which, by law, must be reached by September 20, 1981.

On May 26, 1981, Intervenor, Joellen Allen et al., filed a "Request for Subpoenas" seeking to depose the principal

officers of each of three producing companies which purportedly sell gas to Public Gas for local distribution. The Commission has scheduled a further evidentiary hearing in this matter for August 17, 1981, at the Commission's offices in Frankfort, Kentucky. For this reason, we will deny the request to take depositions of these persons in Jackson, Kentucky. However, the Commission will treat this filing by the Intervenor as a request for information which is allowed under our rules of procedure in all general rate cases.

Based upon the above-stated findings and conclusions of law and being advised, the Commission hereby ORDERS as follows:

(1) Public Gas Company's motion for interim emergency rates is hereby denied.

(2) The request of Intervenor, Joellen Allen et al., for subpoenas for the purpose of deposing in Jackson, Kentucky certain principals of the producing companies which supply Public Gas Company is hereby denied.

(3) On or before August 7, 1981, Public Gas Company shall supply this Commission and all intervenors in this case, the following information:

(a) A statement of the costs incurred by Public Gas Company in purchasing and transporting all gas received from Pan Bowl Gas Company of Jackson, Kentucky, during the test year for this case;

(b) A statement of the costs incurred by Public Gas Company in purchasing and transporting all gas received from T&M Company of Jackson, Kentucky, during the test year of this case;

(c) A statement of the costs incurred by Public Gas Company in purchasing and transporting all gas received from Capitol Producing Company of Richmond, Kentucky, during the test year of this case.

(4) A further evidentiary hearing will be held at 1:00 PM (EDT) on August 17, 1981, at the Commission's offices in Frankfort, Kentucky. At this hearing, Public Gas shall have available a witness (or witnesses) who can verify the information submitted pursuant to ordering paragraph three (3) above.

Done at Frankfort, Kentucky this 28th day of July, 1981.

PUBLIC SERVICE COMMISSION

Martin M. Vob
Chairman

Katherine Randall
Vice Chairman

Jim Hargreaves
Commissioner

ATTEST:

Secretary